

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION**

#### **JUDICIARY**

**Call to Order:** By **CHAIRMAN ROBERT C CLARK**, on January 8, 1999 at 8:00 A.M., in Room 312 - 1 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Robert C Clark, Chairman (R)  
Rep. Dan McGee, Vice Chairman (R)  
Rep. Diana Wyatt, Vice Chairman (D)  
Rep. Chris Ahner (R)  
Rep. Shiell Anderson (R)  
Rep. Paul Clark (D)  
Rep. Aubyn A Curtiss (R)  
Rep. Bill Eggers (D)  
Rep. Tom Facey (D)  
Rep. Gail Gutsche (D)  
Rep. Joan Hurdle (D)  
Rep. Rick Jore (R)  
Rep. Sam Kitzenberg (R)  
Rep. Brad Molnar (R)  
Rep. Mark Noennig (R)  
Rep. Jim Shockley (R)  
Rep. Loren Soft (R)  
Rep. Carol Williams (D)  
Rep. Cindy Younkin (R)

**Members Excused:** None.

**Members Absent:** Rep. Steven Gallus (D)

**Staff Present:** John MacMaster, Legislative Services Division  
Pam Schindler, Committee Secretary

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing: 1/8/99HB 54, HB81, HB 84,  
Date Posted: 1/6/99  
Executive Action: None taken

Chairman Robert Clark called the meeting to order at 8:00 a.m.

*{Tape : 1; Side : A; Approx. Time Counter : 0 - 31}*

HEARING ON HB 54

Sponsor:

Rep. Menehan presented HB 54.

*{Tape : 1; Side : A; Approx. Time Counter : 31 - 37}*

Proponents:

Gary Matthews, House District 4, and employee at Pine Hills Youth Correctional.

*{Tape : 1; Side : A; Approx. Time Counter : 37 - 71}*

Mike Mahoney, Warden, Montana State Prison

*{Tape : 1; Side : A; Approx. Time Counter : 71 - 98}*

Terry Minow, Montana Federation of Teachers

*{Tape : 1; Side : A; Approx. Time Counter : 98 - 114}*

Bob Anderson, Montana Sheriff's and Police Officers Association

*{Tape : 1; Side : A; Approx. Time Counter : 114 - 123}*

Opponents:

Scott Creighton, ACLU

*{Tape : 1; Side : A; Approx. Time Counter : 123 - 194}*

**EXHIBIT**(juh05a01)

Informational Testimony:

John Connor, Chief Prosecutor, Montana Attorney General's Office

*{Tape : 1; Side : A; Approx. Time Counter : 194 - 268}*

Sandy Butler, Montana Nurse's Association

*{Tape : 1; Side : A; Approx. Time Counter : 268 - 281}*

Questions from Committee Members and Responses:

*{Tape : 1; Side : A; Approx. Time Counter : 281 - 500}*

*{Tape : 1; Side : B; Approx. Time Counter : 0 - 388}*

Closing by Sponsor:

Rep. Menehan made the closing statement.

*{Tape : 1; Side : B; Approx. Time Counter : 388 - 466}*

HEARING ON HB 81

Sponsor:

Rep. Menehan turned his opening statements over to John Connor, Montana Attorney's General's Office.

{Tape : 1; Side : B; Approx. Time Counter : 466 - 483}

EXHIBIT (juh05a0

2)

Proponents:

John Connor, representing Montana Attorney's Association

{Tape : 1; Side : B; Approx. Time Counter : 483 - 500}

{Tape : 2; Side : A; Approx. Time Counter : 0 - 73}

Opponents:

NONE

Informational Testimony:

NONE

Questions from Committee Members and Responses:

{Tape : 2; Side : A; Approx. Time Counter : 73 - 130}

Closing by Sponsor:

Sponsor had waived closing.

HEARING ON HB 84

Sponsor:

Rep. Ewer presented opening remarks on HB 84

{Tape : 2; Side : A; Approx. Time Counter : 130 - 203}

Proponents:

Kelly Jenkins, PERS General Counsel

{Tape : 2; Side : A; Approx. Time Counter : 203 - 239}

EXHIBIT (juh05a03)

Riley Johnson, National Federation Fiduciaries

{Tape : 2; Side : A; Approx. Time Counter : 239 - 270}

Opponents:

Al Smith, Montana Trial Lawyer's Association

{Tape : 2; Side : A; Approx. Time Counter : 270 - 300}

Informational Testimony:

**Dale Smiley**, Montana Department of Administration  
{Tape : 2; Side : A; Approx. Time Counter : 300 - 310}

**Questions from Committee Members and Responses:**  
{Tape : 2; Side : A; Approx. Time Counter : 310 - 530}

**Closing by Sponsor:**

**Rep. Ewer** made closing statement.

**Motion/Vote:** Rep. McGee moved adjournment. Motion passed  
unanimously.  
{Tape : 2; Side : A; Approx. Time Counter : 530 - 550}

**ADJOURNMENT**

Adjournment: 10:00 A.M.

---

REP. ROBERT C CLARK, Chairman

---

PAM SCHINDLER, Secretary

RC/PS

**EXHIBIT** (juh05aad)